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2 WITNESS PAGE

3 Detective Ronald E. Sheehan 3

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1 The witness, Detective Ronald E. Sheehan,
2 having been first duly sworn, testifies as follows:

3 DIRECT EXAMINATION BY MS. BERGER:

4 Q. Could you, please, state your name?

5 A. Ronald Edward Sheehan.

6 Q. Could you spell your last name for the
7 record?

8 A. S-H-E-E-H-A-N.

9 Q. How are you employed?

10 A. I'm a Patrolman with the Springfield
11 Massachusetts Police Department.

12 Q. And, are you assigned to a particular
13 Division and shift there?

14 A. Yes, I'm currently assigned to the Narcotics
15 Division Intelligence Unit, on the 8:00 to 4:00 p.m.
16 shift.

17 Q. And, do you have any particular training in
18 regard to firearms?

19 A. Yes, I do.

20 Q. What would that include?

21 A. That would include annual in-service
22 training, which we become familiar with the workings of
23 weapons.

1 Q. So the Academy training and in-service
2 training once a year.

3 A. That's correct.

4 Q. Approximately how long have you been a
5 Police Officer?

6 A. Twenty-three years.

7 Q. And, sir, were you involved in the
8 investigation of an Ayyub Abdul-Alim for an incident
9 that occurred on or about December 9th, 2011?

10 A. Yes.

11 Q. And, in regard to that investigation did you
12 write a report?

13 A. Yes, I did.

14 Q. Could you, please, read your report to the
15 members of the Grand Jury?

16 A. On this date, which would be 12/9/2011, at
17 approximately 7:30 p.m., Officer Anthony Sowers, Officer
18 Angel Berrios, and Officer Ronald Sheehan placed under
19 arrest in the parking lot of the Getty gas station,
20 located at 671 State Street, Ayyub Abdul-Alim, date of
21 birth 4/25/1978, of 683 State Street, apartment 8.

22 Over the past several months the Springfield
23 Police Narcotics Division has been conducting an ongoing

1 investigation into drug and gun activity in the area of
2 the Getty Mart located at 671 State Street. The area of
3 671 State Street is located in a high crime area in
4 which numerous Narcotics arrests have been made and a
5 homicide was recently committed.

6 On 12/9/2011, Officer Sheehan received
7 information from a confidential informant that a drug
8 delivery was going to occur at the Getty Gas Station at
9 approximately 7:00 p.m. The delivery was going to be
10 made by a White male, who was operating a white Jeep.
11 Based on this information Officer Sheehan contacted
12 Officers Berrios and Sowers to respond to this area and
13 look for this vehicle. Upon locating this vehicle these
14 Officers were instructed to obtain the identity of the
15 operator of this vehicle. Officer Sheehan, who was in an
16 unmarked undercover vehicle, also patrolled the area in
17 an attempt to locate this vehicle.

18 Officers Berrios and Sowers located this
19 vehicle parked in the parking lot of the Getty Station a
20 short time later and approached the vehicle, which was
21 occupied by a lone White male. Officers Berrios and
22 Sowers were identifying the operator of this vehicle, as
23 I observed from a discrete location. As the Officers

1 were making the identification of the operator, Officer
2 Sheehan observed a subject in a red jacket walking
3 toward them. Officer Sheehan identified this subject as
4 Ayyub Abdul-Alim, a known subject. Information was
5 previously provided from a second reliable confidential
6 informant, that Ayyub Abdul-Alim possessed a small
7 handgun that he carried with him. For Officer safety
8 purposes, Officer Sheehan immediately notified Officers
9 Berrios and Sowers by radio to stop the subject who was
10 approaching them in the red jacket (Ayyub Abdul-Alim)
11 and perform a thorough pat frisk on him.

12 Officer Berrios conducted a thorough frisk
13 of Abdul-Alim and found a Colt .25 caliber pistol
14 located in the underpants of Abdul-Alim. Abdul-Alim was
15 asked to produce a firearms license, and was unable to.
16 A Records check was conducted and it was determined that
17 Abdul-Alim did not possess a Licence to Carry a firearm
18 in Massachusetts. The handgun held a clip that contained
19 six .25 caliber bullets. No bullet was in the chamber.
20 Abdul-Alim was placed under arrest at this time and
21 transported to the Springfield Police Department.

22 The firearm was tagged number 330272.

23 And, a firearm recovery report was submitted

1 to Deputy Chief Cochrane.

2 And, the firearm, serial number 264094, was
3 checked for stolen through Records with negative
4 results.

5 Q. Thank you. Was the firearm that was
6 recovered during this investigation sent to the State
7 Police Ballistics Unit to be test fired and examined?

8 A. Yes, it was.

9 Q. Do you have the certificate of test firing
10 with you here today?

11 A. Yes, I do.

12 Q. Is that a two page typed document?

13 A. Yes, it is.

14 MS. BERGER: If I could have that marked
15 Exhibit 1, please?

16 (Grand Jury Exhibit 1: Marked)

17 Q. If you could, please, read what has been
18 marked Exhibit 1 to the members of the Grand Jury?

19 A. Certificate of Examination and Test Firing.
20 Case number 12-0038 (sic). Tested on January 11, 2012.
21 Submitted it, is the Springfield Police Department. The
22 defendant Ayyub Abdul-Alim.

23 On January 5th, 2012, Detective Joseph

1 Gentile of the Springfield Police Department, delivered
2 the following to this Section for examination:

3 .25 Auto caliber Colt 1908 Hammerless
4 revolver, serial number 264094, with one (1) 6-round
5 magazine and six (6) .25 Auto caliber live cartridges.

6 Barrel Length is 2 1/8 inches. Test Fire:
7 Yes. Malfunctions: None.

8 It is my opinion that the evidence submitted
9 is a firearm and ammunition within the meaning of and as
10 defined in Massachusetts General Law Chapter 140,
11 Section 121.

12 I, Thomas J. Murphy, a Springfield (sic)
13 Massachusetts State Police Officer assigned to the
14 Firearms Identification Section, do hereby swear and
15 affirm that I have been qualified as a Ballistics Expert
16 in the District/Superior Courts in Massachusetts (sic)
17 as an expert witness in the area of firearms
18 identification in compliance with Massachusetts General
19 Law Chapter 140, Section 121A for the issuance of this
20 certificate.

21 Thomas Murphy, Massachusetts State Police.
22 Firearms Identification Section.

23 Q. Does the second page just indicate that the

1 original document was notarized?

2 A. Yes, it was.

3 Q. Do you have any further information relative
4 to that?

5 A. There was -- in reviewing the certified
6 letter it was determined that there was a typographical
7 error on -- in the section identifying the weapon as a
8 Hammerless revolver, serial number 264094. That should
9 indicate that it's a Hammerless pistol, number 264094.

10 Q. Thank you, sir. I believe you testified
11 earlier that Ayyub Abdul-Alim did not have a License to
12 Carry a Firearm, is that accurate?

13 A. Yes.

14 Q. Are you aware of whether or not he had an
15 F.I.D. card?

16 A. He did not have.

17 Q. He does not have a License to Carry or an
18 F.I.D. card.

19 A. That's correct.

20 Q. At this time could you, please, identify
21 Mr. Abdul-Alim by both his date of birth and Social
22 Security number?

23 A. Ayyub Abdul-Alim date of birth of 4/25/1978,

1 and his Social Security number of -- it's not listed on
2 that -- and, his Social Security number is not listed at
3 this time.

4 Q. When you say "not listed", what are you
5 looking at, at this time?

6 A. The arrest report that I submitted on --

7 Q. The corresponding Booking sheet.

8 A. I'm sorry?

9 Q. The corresponding Booking sheet.

10 A. Yes.

11 Q. Are you aware whether or not the same Ayyub
12 Abdul-Alim has been convicted of a -- previously
13 convicted of a serious drug offense or a violent crime
14 as defined in General Law Chapter 269, Section 10G(e)?

15 A. Yes.

16 Q. Do you happen to have with you here today a
17 certified copy of a prior conviction from the Hampshire
18 County Superior Court?

19 A. Yes, I do.

20 Q. Would that be criminal docket number
21 HSCR2000-00018?

22 A. Yes.

23 Q. Commonwealth versus Ayyub Abdul-Alim.

1 A. Yes.

2 Q. And, does it indicate that he was found
3 guilty on December 11th, 2003 to the offense of
4 Trafficking Class B, 28 to 100 grams?

5 A. Yes.

6 Q. Attached to the docket is a copy of the
7 actual indictment, is that correct?

8 A. That's correct.

9 Q. Was he represented by counsel?

10 A. Yes, he was.

11 MS. BERGER: Thank you. If I could have
12 that marked as Exhibit 2?

13 (Grand Jury Exhibit 2: Marked)

14 Q. Sir, are you also aware of whether or not
15 the same Ayyub Abdul-Alim has been convicted of a like
16 offense in the past?

17 A. Yes.

18 Q. Do you have with you here today a certified
19 copy of a prior conviction form the State of New York?

20 A. Yes.

21 Q. County Court, County of Rockland.

22 A. Yes, I do.

23 Q. People of New York versus Ayyub Abdul-Alim.

1 A. That's correct.

2 Q. And, does it indicate that he pled guilty to
3 a violation of New York penal law 265.02 Criminal
4 Possession of a Weapon in the Third Degree?

5 A. Yes.

6 Q. Is the date of the crime -- is the date the
7 crime was committed listed?

8 A. Yes.

9 Q. What is it listed as?

10 A. 3/14/1998.

11 Q. Does it indicate he was sentenced for that
12 crime on February 6th, 1999?

13 A. Yes, it does.

14 Q. Does it list the weapon?

15 A. Yes, it does, a rifle.

16 MS. BERGER: If I could have that
17 certified conviction from the State of New York marked
18 as Exhibit 3, please?

19 (Grand Jury Exhibit 3: Marked)

20 Q. Do you have some additional paperwork with
21 you here today that was provided by the State of New
22 York Rockland County Court Criminal Division?

23 A. Yes.

1 Q. Does that paperwork indicate the date of
2 conviction?

3 A. Date of conviction is 11/2/1998.

4 Q. Do you also have a New York State Police
5 report, State Police Palisades, that corresponds with
6 that prior conviction?

7 A. Yes, I do.

8 Q. Was Mr. Ayyub Abdul-Alim's date of birth and
9 Social Security number listed in that police report?

10 A. Yes, it is.

11 Q. And, what is it listed as?

12 A. 4/25/1978.

13 Q. And, the Social Security number.

14 A. 025-64-1722.

15 Q. What Town and County did the offense occur?

16 A. Bear with me for one second. Clarkstown in
17 Rockland County New York.

18 Q. Clarkstown, New York, Rockland County.

19 A. Yes.

20 MS. BERGER: Thank you. I have no
21 further questions of this witness at this time.

22 Do the members of the Grand Jury have any
23 questions?

1 GRAND JUROR: Sir, why was the suspect
2 stopped? And, two part question. Why was he searched?

3 THE WITNESS: There were several factors
4 that contributed to that. First he was a known subject
5 to me, in which I have known him to previously be
6 convicted of firearms offenses in the past, he's been
7 arrested on firearms -- multiple firearms offenses in
8 the past. It also was provided by a confidential
9 informant -- reliable confidential informant, that this
10 individual Mr. Abdul-Alim carries a small caliber
11 handgun with him on a regular basis. Officer's safety
12 purposes, high crime neighborhood, the individual
13 walking towards Officers, who were in the middle of
14 conducting an investigation, asserting himself into a
15 scene which presented a danger to the Officers at the
16 scene, and the ongoing investigation, which included
17 drugs and gun activity, and this specific location, that
18 obviously I'm not going to let Officers be approached by
19 an individual that's a known felon, that possibly may be
20 in possession of a weapon.

21 MS. BERGER: Any further questions of
22 this witness?

23 GRAND JUROR: Did the subject just

1 happen to be in the vicinity of this other arrest or
2 investigation or he actually in --

3 THE WITNESS: He actually was walking
4 directly towards them. And thus the pat frisk was
5 conducted to insure that he didn't have any weapons on
6 him.

7 MS. BERGER: Any further questions?
8 Seeing none, may this witness be excused?
9 Thank you.

10 THE WITNESS: Thank you very much.

11 * * * * *

12 MS. BERGER: I'd like to instruct the
13 Grand Jury that to the extent that you've heard any
14 testimony or received any Exhibits during the course of
15 this investigation regarding a prior conviction of Ayyub
16 Abdul-Alim, that you only consider such evidence for the
17 limited purpose of determining whether or not there's
18 probable cause in regard to so much of the indictment
19 alleging a violation of General Law Chapter 269, Section
20 10G(a) and/or a violation of General Law Chapter 269,
21 Section 10D alleging a subsequent offense.

22 You may not consider such evidence as
23 showing that Ayyub Abdul-Alim is a person of bad

1 character or has a disposition to commit a crime or
2 committed this crime.

3 * * * * *


4 (Conclusion of the Grand Jury minutes.)

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1 COMMONWEALTH OF MASSACHUSETTS
2 COUNTY OF HAMPDEN
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4 I, LINDA CLAIN, do hereby certify that the
5 foregoing is a true and accurate copy of my stenographic
6 notes to the best of my knowledge and ability.

7 
8 Linda Clain
9 Court Reporter
10 * * * * *

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DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

MARY ELIZABETH HEFFERNAN
SECRETARY

COLONEL MARIAN J. MCGOVERN
SUPERINTENDENT

The Commonwealth of Massachusetts

Department of State Police

Firearms Identification Section - Western

190 Lawrence Drive

Springfield, Massachusetts 01106

Telephone (413) 205-1840 Facsimile (413) 205-1841

GRAND JURY
EXHIBIT

1
1-19-12

CERTIFICATE OF EXAMINATION AND TEST FIRING

Case Number: 12-00383	Date: January 11, 2012
Agency: Springfield Police Department	Agency Case Number: 11-5408-AR
Defendant(s): Ayyub Abdul-Alim	Victim(s):

On January 05, 2012, Detective Joseph Gentile of the Springfield Police Department delivered the following to this section for examination:

- 1-1 .25 Auto caliber Colt 1908 Hammerless revolver serial number 264094 with one (1) 6-round magazine and six (6) .25 Auto caliber live cartridges

Barrel Length: 2 1/8 inches Test Fire: Yes Malfunctions: None

It is my opinion that the evidence submitted is a **FIREARM AND AMMUNITION** within the meaning of and as defined in Massachusetts General Law Chapter 140 Section 121.

I, **Thomas J. Murphy**, a Massachusetts State Police Officer assigned to the Firearms Identification Section do hereby swear and affirm that I have been qualified as a Ballistics Expert in the District/Superior Courts of the Commonwealth as an expert witness in the area of Firearms Identification in compliance with Massachusetts General Law Chapter 140 section 121A for the issuance of this certificate.

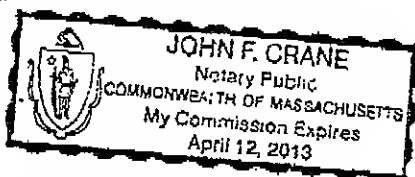
Thomas J. Murphy
Trooper Thomas J. Murphy
Massachusetts State Police
Firearms Identification Section
Thomas.Murphy@pol.state.ma.us

Report to: Captain Peter Dillon
Springfield Police Department

COMMONWEALTH OF MASSACHUSETTS

Thomas J. Murphy, whom I know to be a qualified Ballistics Expert of the Massachusetts State Police Firearms Identification Section, appeared before me and affirmed the above to be the results made on Laboratory Number 12-00383.

Sworn and subscribed to before me this 12 day of Jan 2012.



[Signature]
Notary Public

My commission expires: _____